

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CCM PATHFINDER POMPAÑO BAY, LLC, :
Plaintiff, : INDEX NO. 08 CIV 5258
-against- : INDEX NO. 08 CIV 5297
: INDEX NO. 08 CIV 5298
COMPASS FINANCIAL PARTNERS LLC : **DECLARATION OF GIL TENZER IN**
and COMPASS USA SPE LLC, : **SUPPORT OF PLAINTIFFS' MOTION**
Defendant. : **FOR REMAND**
----- :
AND RELATED ACTIONS :
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I, Gil Tenzer, declare as follows:

1. I have personal knowledge of the facts set forth herein and if called and sworn as a witness, I could and would testify competently thereto.

2. The members of plaintiff CCM Pathfinder Pompano Bay, LLC are Contrarian Capital Management, LLC ("CCM") and Pathfinder Partners, LLC ("Pathfinder"). The members of plaintiff CCM Pathfinder Gramercy, LLC are also CCM and Pathfinder.

3. I am a member of CCM and a resident of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the ____ day of June 2008 in New York, New York.



Gil Tenzer